

BRISTOL BAY NATIVE ASSOCIATION

P.O. BOX 310
DILLINGHAM, ALASKA 99576
PHONE (907) 842-5257

Tribal Councils
Served by BBNA:

Aleknagik

Chignik Bay

Chignik Lagoon

Chignik Lake

Clarks Point

Curyung

Egegik

Ekwok

Igiugig

Iliamna

Ivanof Bay

Kanatak

King Salmon

Kokhanok

Koliganek

Levelock

Manokotak

Naknek

New Stuyahok

Newhalen

Nondalton

Pedro Bay

Perryville

Pilot Point

Port Heiden

Portage Creek

South Naknek

Togiak

Twin Hills

Ugashik

August 10, 2010

Lisa Jackson, EPA Administrator
USEPA Headquarters
Ariel Rois Building
1200 Pennsylvania Avenue, N.W.
Mail Code 1101A
Washington, DC 20460


Dear Ms. Jackson:

Enclosed please find resolution 2010-07. This resolution was passed during a Bristol Bay Native Association Executive Committee meeting August 6, 2010. BBNA, the regional non-profit for the Bristol Bay region, represents 31 tribes.

This resolution represents a formal statement of considered opinion, intent, and resolve of the Association and its tribes. We have taken this action out of concern for our social, economic, and cultural well being. We communicate these statements to inform you as to our position and to earnestly solicit your assistance in our efforts.

Sincerely,

BRISTOL BAY NATIVE ASSOCIATION



Ralph Andersen
Chief Executive Officer

Enclosure:

BRISTOL BAY NATIVE ASSOCIATION
P.O. BOX 310
DILLINGHAM, ALASKA 99576
Ph. (907) 842-5257 Fax (907) 842-5932
By Executive Committee

RESOLUTION 2010 -07

**A RESOLUTION OPPOSING H.R. 5992 AND URGING CONGRESS NOT TO
INTERFERE WITH THE EPA'S "404(C)" AUTHORITY OVER MATERIAL
DISCHARGES IN WATERWAYS**

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OFFICE OF THE
EXECUTIVE SECRETARIAT

WHEREAS: Section 404(c) of the Clean Air Act authorizes the Environmental Protection Agency (EPA) to restrict or prohibit the discharge of dredge or fill material, such as mine wastes, into waterways when there would be an "unacceptable adverse impact" on fisheries, wildlife or municipal water supplies or recreational areas; and

WHEREAS: Although rarely used, Section 404(c) gives the EPA potential veto power over any discharge permits otherwise issued by the Corps of Engineers for the proposed Pebble Mine; and

WHEREAS: Six Bristol Bay tribes have petitioned the Environmental Protection Agency to invoke its authority under Section 404(c) in regard to discharge permits for the Pebble Mine; and

WHEREAS: During talks with EPA Administrator Lisa Jackson in Dillingham in July, local Native leaders urged her to review discharge permits that may be issued for the Pebble Mine; and

WHEREAS: Within days of the Dillingham meeting, Congressman Don Young introduced H.R. 5992, a bill to completely repeal Section 404(c) and thus strip the EPA of any authority over permits for dredged or fill material in waterways;

NOW, THEREFORE, BE IT RESOLVED by the Executive Committee of the Bristol Bay Native Association Board of Directors, that the Bristol Bay Native Association strongly opposes H.R. 5992 and any other efforts by Congress to interfere with the EPA's authority under Section 404(c) of the Clean Air Act.

Signed: Fred I. Angason
President

CERTIFICATION:

I, the undersigned Secretary of the Bristol Bay Native Association, do hereby certify that the Executive Committee of the Board of Directors of the Bristol Bay Native Association duly adopted the foregoing resolution on this 6th day of August, 2010, at a duly called and noticed meeting at which a quorum was present.

Signed: Robert Nuyano
Secretary

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NATIVE ASSOCIATION**
P.O. BOX 310
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